

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 91-494-W - ORDER NO. 93-511 ✓
JUNE 10, 1993

IN RE: Application of South Atlantic Utilities,) ORDER
Inc. for Approval of an Increase in Rates) DENYING
and Charges for the Water System at May) RECONSIDERATION
River Plantation in Bluffton, SC.)

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Request for Reconsideration of our Order No. 93-408 tendered by South Atlantic Utilities, Inc. (South Atlantic or the Company) and its Manager, Tom Smith, III.

In his Request, Smith seeks reconsideration of our Order No. 93-408, which ordered South Atlantic to give Robert Kieffer, a former customer of the Company, a monetary refund of \$43.47. Smith alleges that South Atlantic should not have to refund the \$43.47, since Kieffer is being charged a \$12.00 per month availability fee. Smith alleges that to issue Kieffer a refund in the amount of \$43.47 would result in a balance due of \$23.93 to Kieffer's account. Smith further states that all lot owners are being charged an availability fee, and the fact that Kieffer has dug his own well should have no bearing on these charges. Smith further points out that the contract with the developer prohibits private wells and specifies availability fees.

The Commission has considered this matter and denies the

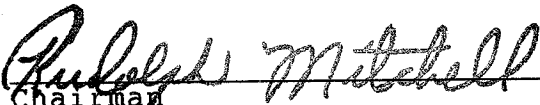
reconsideration. The Commission traditionally has not taken jurisdiction over availability fees. The Commission is of the opinion that any dispute between Smith, and his customer Kieffer, over availability fees should be settled in another forum, such as a Court, and should not involve this Commission. For this reason, the Commission reiterates its Order that South Atlantic should refund to Kieffer \$43.47, availability fees notwithstanding.

IT IS THEREFORE ORDERED THAT:

1. The Request for Reconsideration is denied.
2. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

VICE


Chairman

ATTEST:


Executive Director

(SEAL)